



State of Connecticut

SENATE

STATE CAPITOL
HARTFORD, CONNECTICUT 06106-1591

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RANKING MEMBER

FINANCE, REVENUE AND BONDING COMMITTEE
REGULATION REVIEW COMMITTEE

MEMBER

ENVIRONMENT COMMITTEE
JUDICIARY COMMITTEE

March 2, 2010

Senator Prague, Representative Ryan, Senator Guglielmo, Representative Noujaim and Distinguished Members of the Labor and Public Employees Committee:

Thank you for raising House Bill 5203, An Act Concerning State Service Retirement Credit And Teachers' Retirement Credit. As you will hear from my former constituent Kathleen Fitzgibbons later today, I am here to ask your help in correcting a grave injustice visited by the Teachers' Retirement Board on Ms. Fitzgibbons. The Board has admitted that this is the biggest mistake they have ever made; the fault lies entirely with them. The Board under current law lacks the authority to rectify their mistakes and this bill would grant them that power. Government exists to afford people remedies when they have been wronged. We must ensure that when government is the perpetrator of the wrong innocent victims have recourse. I stand ready to work with all of you in achieving justice for Ms. Fitzgibbons.

Attached is a copy of a letter from William Womack detailing the mistake in question together with a petition which has been signed by many friends and supporters in Cornwall for Dr. Fitzgibbons.

SERVING BROOKFIELD, CANAAN, CORNWALL, GOSHEN, KENT, LITCHFIELD, MORRIS, NEW MILFORD,
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STATE OF CONNECTICUT
STATE TEACHERS' RETIREMENT BOARD
765 ASYLUM AVENUE HARTFORD, CT 06105-2822
Toll-Free 1-800-504-1102 (860) 241-8419 Fax (860) 525-6018
www.ct.gov/trb

August 3, 2009

KATHLEEN C. FITZGIBBONS
ROAD TO DAMASCUS
LEICESTER, MA 01524

Dear Ms Fitzgibbons:

TRB#145052

A calculation error was made in determining your estimated benefit. We have determined your correct monthly Plan N benefit to be \$2,530.90 and not \$3,420.14 as previously stated.

The estimated benefit dated 11/24/2008 was calculated as a Normal retirement benefit. The correct benefit is Early retirement. In order for you to qualify for a Normal Retirement, you have to have 20 years Ct credit and you have 15.6 years Ct credit. The outside State Service time that you purchased is considered Non-Ct therefore it cannot be added in with the 15.6 years of Ct time to qualify for a Normal Retirement. Enclosed is a copy of eligibility requirements for retirement.

I apologize for the inconvenience, if you have any questions please do not hesitate to call me at the number listed above.

Sincerely,

William Womack
Benefits Division

William Womack phoned
my house on 29 July 2009
This letter received 10 August 2009



STATE OF CONNECTICUT TEACHERS' RETIREMENT BOARD



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Teachers' Retirement Board

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Normal Retirement

In order to be eligible for a normal retirement benefit you must meet either the following requirements:

- 20 years of Connecticut service and be at least age 60
- 35 years of service (minimum 25 years CT) at any age

Normal retirement benefits are calculated as follows:

$$2\% \times \text{Credited Service} \times \text{FTE} \times \text{Average Salary} = \text{Annual Benefit.}$$

The maximum benefit a member may receive from this system is 75% of average annual salary.

Normal retirement examples:

Member D retires at age 63 with 22.5 years of full-time CT service:

$$2\% \times 22.5 = 45\% \text{ of average salary.}$$

Member Q retires at age 59 with 35 years of service at 85% FTE:

$$2\% \times 35.0 \times .85 = 59.5\% \text{ of average salary.}$$

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Early Retirement

If you do not qualify for normal retirement, you may qualify for early retirement if you meet either of the following requirements:

- 20 years of service (15 CT) minimum age 55
- 25 years of service (20 CT) at any age

The amount of your early retirement benefit will be dependent upon:

- The number of years and months your early retirement date precedes your normal retirement date (Age 60 with 20 CT or 35 years with 20 CT)
- Whether you are retiring with less than 30 years of credited service (Table A) or with 30 years or more of credited service (Table B).

Early retirement benefits are calculated as follows:

$$\text{Early Retirement \%} \times \text{Credited Service} \times \text{FTE} \times \text{Average Salary} = \text{Ann Benefit.}$$

Table A - Less than 30 Years of Credited Service:

Years Away From Normal Retirement	Early Retirement Percentage
0	2.00%
1	1.88%
2	1.76%
3	1.64%
4	1.52%
5	1.40%
6	1.32%
7	1.24%
8	1.16%

PETITION TO THE CONNECTICUT STATE LEGISLATURE, January, 2010

WHEREAS: Dr. Kathleen Fitzgibbons served as a particularly admired and respected principal of the Cornwall Consolidated School for six years, and qualified for retirement with 20 years of service, 15 of them in Connecticut schools;

WHEREAS: In November, 2008, Dr. Fitzgibbons began the formal retirement process with the assistance of the Region I Business Administrator at the Region I Central Office;

WHEREAS: On November 24, 2008, the Retirement Board printed and sent Dr. Fitzgibbons her retirement benefit estimate, stating that she was entitled to 42% of her final average pay;

WHEREAS: After confirming her status through another exchange of emails with the Retirement Board, Dr. Fitzgibbons announced her retirement plans to the Cornwall Board of Education and the Region I Superintendant, giving them ample time to find her replacement. She then retired in June of 2009, in reliance on the package promised by the Retirement Board;

WHEREAS: On July 29, 2009, Dr. Fitzgibbons was notified by the Retirement Board that they had erred in calculating her benefits, which they now stated should have been fixed at only 31% of her final average pay. The 11% difference amounts to more than \$10,500 per year of lost income, creating an unanticipated and undeserved hardship for Dr. Fitzgibbons;

WHEREAS: Inquiring how this mistake could have occurred, Dr. Fitzgibbons discovered that more than one Retirement Board employee had independently reviewed her case and confirmed her right to 42% of final average pay. A Retirement Board supervisor termed this an "egregious error", but stated that there was no recourse or appeal;

WHEREAS: Dr. Fitzgibbons conscientiously fulfilled all the qualifying steps for retirement, and trustingly accepted the calculations of her Retirement Board advisors in determining whether or not she could afford to retire in June, 2009;

WHEREAS: Despite this careful planning, Dr. Fitzgibbons has had her promised retirement benefit reduced by 11%, solely through avoidable and acknowledged Retirement Board error;

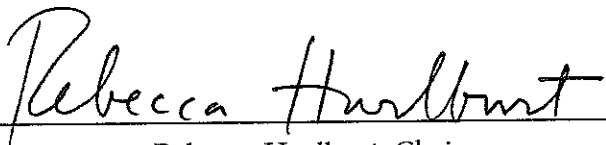
THEREFORE, In gratitude for her service to our community, and dismayed by the unfairness of this undeserved and seemingly irreversible error, WE, the undersigned taxpayers of Cornwall, CT, respectfully ask that our Legislature reinstate the original retirement benefit promised Dr. Fitzgibbons. Thank you for your consideration.

January 21st, 2010


Dear Andrew Roraback,

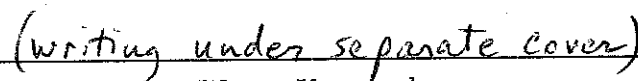
We, the undersigned members of the Cornwall Consolidated School BOARD OF EDUCATION would like to support the "Petition to the Connecticut State Legislature" (attached) that you will be delivering, in defense of Dr. Kathleen Fitzgibbons.

"In gratitude for her service to our community, and dismayed by the unfairness of this undeserved and seemingly irreversible error, we respectfully ask that our Legislature reinstate the original retirement benefit promised Dr. Fitzgibbons. Thank you."


Rebecca Hurlburt, Chair

Philip Hart


Irene Hurlburt


Wynne Kavanagh


Thomas Levine


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Diana Jansa	12 Hickory Lane Cornwall Bridge
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Jean B Bryant

99 Valley Road Cornwall

January 13, 2010
57 Scoville Rd.
West Cornwall, CT
06796
Tel: 860-672-6939

To Whom It May Concern

I am seventy-one years old. I have worked with children ever since 1961, when I was a classroom teacher with the Peace Corps in Liberia. I have owned and operated my own children's travel camp, and for seven years in Cornwall I operated a group home for neglected teen-aged boys. I have taught high school English and I tutor reading and elementary math. I tutored for about ten years at the Cornwall Consolidated School, where Kathleen Fitzgibbons was principal for five years. I am writing to tell you, as I have on numerous occasions told Kathleen, that in my experience of the last fifty years working as a teacher and mentor rarely - very rarely - have I been privileged to watch and work with a teacher and administrator as compassionate and skillful and Dr. Kathleen Fitzgibbons.

Dr. Fitz - as we all in Cornwall call Kathleen - is more than a teacher, she is an *educator* and educators are very rare and very special people.

Now, I understand Dr. Fitz is having some sort of difficulty over her retirement pension. I have not spoken to her, nor with anyone knowledgeable about this; nonetheless, I am writing to assure you that if any retired teacher desired a smooth run into a well earned few years of secure peace and quiet, that person is Dr. Fitz. Whatever has gone wrong, please fix it!

Sincerely,



Wm. Earl Brecher